

APPENDIX B

Pending Claims

3. A method for determining whether TAXOL cannot be used to reduce the growth of breast cancer cells, comprising the steps of:

- a) obtaining a sample of breast cancer cells;
- b) determining whether said breast cancer cells express the BST-2 gene;

and

c) identifying that TAXOL cannot be used to reduce the growth of said breast cancer cells when said BST-2 gene is expressed by said breast cancer cells.

6. The method of claim 3, wherein said level of expression is determined by detecting the amount of mRNA that is encoded by said BST-2 gene present in said sample.

12. The method of claim 3, wherein said breast cancer cells are selected from the group consisting of breast cancer cell lines and breast cancer cells obtained from a patient.

18. A method for determining whether TAXOL cannot be used to reduce the growth of breast cancer cells, comprising the steps of:

- a) obtaining a sample of breast cancer cells;
- b) exposing the breast cancer cells to TAXOL;
- c) determining the level of expression in the breast cancer cells of the

BST-2 gene in the sample exposed to the TAXOL and in a sample of breast cancer cells that is not exposed to TAXOL; and

d) identifying that TAXOL cannot be used to reduce the growth of said breast cancer cells when the expression of said BST-2 gene is increased in the presence of TAXOL.

21. The method of claim 18, wherein said level of expression is determined by detecting the amount of mRNA that is encoded by said BST-2 gene present in said sample.

27. The method of claim 18, wherein said breast cancer cells are selected from the group consisting of breast cancer cell lines and breast cancer cells obtained from a patient.

32. A method for determining whether treatment with TAXOL should be continued in a breast cancer patient, comprising the steps of:

- a) obtaining two or more samples comprising breast cancer cells from a patient during the course of TAXOL treatment;
- b) determining the level of expression in the breast cancer cells of the BST-2 gene in the two or more samples; and
- c) discontinuing treatment when the expression level of said BST-2 gene increases during the course of treatment.

33. A method for determining whether treatment with TAXOL should be continued in a breast cancer patient, comprising the steps of:

- a) obtaining two or more samples comprising breast cancer cells from a patient during the course of TAXOL treatment;
- b) determining the level of expression in the breast cancer cells of the BST-2 gene in the two or more samples; and
- c) continuing treatment when the expression level of said BST-2 gene does not increase during the course of treatment.

35. The method of claim 32, wherein said level of expression is determined by detecting the amount of mRNA that is encoded by said BST-2 gene present in said sample.

36. The method of claim 33, wherein said level of expression is determined by detecting the amount of mRNA that is encoded by said BST-2 gene present in said sample.